

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

26

On Re: Granite Broadcasting
-v- Corporation

U.S.C.A. #

U.S.D.C. #

07-cv-6217

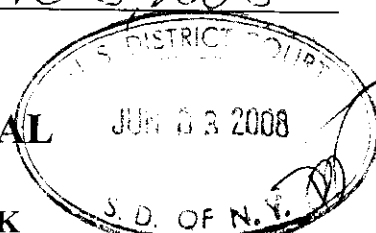
JUDGE:

CM

DATE:

June 3, 2008

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME):

THOMAS R. PISARCZYK

FIRM:

U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK

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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

** ONLY CIRCLED DOCUMENTS ARE INCLUDED **

** ALL OTHERS MISSING AT THIS TIME **

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 3RD Day of June, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

*In re: Granite Broadcasting
-v- Corporation*

U.S.C.A. # _____

U.S.D.C. # 07-cv-6217

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Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 25, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

BALANCE OF FILE MISSING AT THIS TIME

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 3RD Day of June In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232ND year.

J. Michael McMahon, Clerk

By _____

Deputy Clerk

APPEAL, CLOSED

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-06217-CM
Internal Use Only

In Re: Granite Broadcasting Corporation
Assigned to: Judge Colleen McMahon
Case in other court: USBC-SDNY, 06-B-12984 (ALG)
Cause: 28:0158 Notice of Appeal re Bankruptcy Matter (BA)

Date Filed: 07/05/2007
Date Terminated: 04/07/2008
Jury Demand: None
Nature of Suit: 422 Bankruptcy Appeal (801)
Jurisdiction: Federal Question

Date Filed	#	Docket Text
07/05/2007	<u>ECF</u> 1	NOTICE OF APPEAL FROM THE BANKRUPTCY COURT TO THE S.D.N.Y. from the Order of Judge Allan L. Gropper dated May 21, 2007. Bankruptcy Court Case Numbers: 06-B-12984 (ALG). Certified copies of file received. Document filed by June Foster. Appellant Brief due by 7/23/2007. (bkar) (Entered: 07/05/2007)
07/05/2007	<u>ECF</u> 2	AMENDED NOTICE OF APPEAL FROM THE BANKRUPTCY COURT TO THE S.D.N.Y. from the Order of Judge Allan L. Gropper dated May 21, 2007, amending 1 Bankruptcy Appeal. Document filed by June Foster. Appellant Brief due by 7/23/2007. Related document: 1 Bankruptcy Appeal, filed by June Foster. (bkar) (Entered: 07/05/2007)
07/05/2007	<u>ECF</u> 3	DESIGNATION OF BANKRUPTCY RECORD ON APPEAL re: 2 Amended Bankruptcy Appeal, 1 Bankruptcy Appeal. Document filed by Appellant June Foster. (bkar) (Entered: 07/05/2007)
07/05/2007	<u>ECF</u> 4	COUNTER DESIGNATION OF BANKRUPTCY RECORD ON APPEAL Document filed by Appellee Granite Broadcasting Corporation. (bkar) (Entered: 07/05/2007)
07/05/2007		Magistrate Judge Kevin N. Fox is so designated. (bkar) (Entered: 07/05/2007)
07/05/2007		Case Designated ECF. (bkar) (Entered: 07/05/2007)
07/05/2007		Case No Longer Designated ECF. (kko) (Entered: 07/27/2007)
07/09/2007	5	NOTICE OF CASE REASSIGNMENT to Judge Colleen McMahon. Judge Miriam Goldman Cedarbaum is no longer assigned to the case. (jmi) (Entered: 07/12/2007)
07/19/2007	6	MOTION for Extension of Time. Document filed by June Foster. (mbc) (Entered: 07/24/2007)
07/25/2007		MEMO ENDORSED granting 6 Motion for Extension of Time. ENDORSEMENT: The request is granted. Ms. Foster has until August 23 to file her brief. (Signed by Judge Colleen McMahon on 7/25/07) (tro) (Entered: 07/26/2007)
07/25/2007		Set Deadlines/Hearings: Brief due by 8/23/2007. (tro) (Entered: 07/26/2007)
08/15/2007	7	CALENDAR NOTICE: Oral Argument (Bankruptcy Appeal) set for 10/5/2007 at 10:00 AM in Courtroom 21B, 500 Pearl Street, New York, NY 10007 before Judge Colleen McMahon. Any scheduling difficulties must be brought to the attention of the Court in writing and faxed to Chambers at (212) 805-6326. (Signed by Judge Colleen McMahon on 8/14/07) (tro) (Entered: 08/16/2007)
08/21/2007	8	Appellant's BRIEF. Document filed by June Foster. Appellee Brief due by 9/10/2007. (pl) (Entered: 08/28/2007)
08/21/2007	9	MOTION Requesting Judicial Notice in Support of Opening Brief. Document filed by June Foster. (tro) (Entered: 08/28/2007)
08/27/2007	11	ENDORSED LETTER addressed to Judge Colleen McMahon from June Foster dated 8/23/07 re: pro se plaintiff requests 1.) a 30 day extension for oral argument, 2.) She must be present in person for the oral argument because telephonic appearance is not sufficient, 3.) her reply brief is due on 10/3/07. ENDORSEMENT: 1.) I rarely hear oral argument. I will notify you if I want an oral argument. If you are proceeding in forma pauperis, you can't afford to come to NY, 2.) Let me be the judge of that, 3.) Then the thirty days. No oral argument unless I request same after receiving briefs. Ms. Foster has until 10/23/07 to file her reply brief. (Signed by Judge Colleen McMahon on 8/27/07) Copies mailed by chambers. (dle) (Entered: 09/07/2007)
08/28/2007		***DELETED DOCUMENT. Deleted document number 10 Application to Proceed w/out prepayment of fees and affidavit. The document was incorrectly filed in this case. (ae) (Entered: 09/07/2007)
09/06/2007	12	RESPONSE TO LETTER APPLICATION DATED 8/23/2007: Ms. Foster may have until 10/23/2007, to file her reply brief, as she requests. The reply brief may be no longer than ten pages, double spaced and without footnotes. The Court waives oral argument, until after a review of the briefs. (Signed by Judge Colleen McMahon on 9/5/07) (kco) (Entered: 09/07/2007)
09/12/2007	13	LETTER addressed to Judge Colleen McMahon from Brian D. Geldert dated 9/7/07 re: counsel for Granite Broadcasting confirms appellees will file and serve their brief on or before 9/20/07. Document filed by Granite Broadcasting Corporation. (dle) (Entered: 09/13/2007)
09/20/2007	14	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Granite as Corporate Parent. Document filed by Granite Broadcasting Corporation. (tro) (Entered: 09/21/2007)
09/25/2007	15	Appellee's OPPOSITION BRIEF. Document filed by Granite Broadcasting Corporation. Appellant Reply Brief due by 10/12/2007. (djc) (Entered: 09/25/2007)
10/05/2007		Minute Entry for proceedings held before Judge Colleen McMahon : Oral Argument held on 10/5/2007 re: 9 MOTION Request for Judicial Notice in Support of Opening Brief. filed by June Foster. (ae) (Entered: 10/16/2007)
10/23/2007	16	Appellant's REPLY BRIEF. Document filed by June Foster. (djc) (Entered: 10/26/2007)
04/03/2008	17	DECISION AND ORDER AFFIRMING THE BANKRUPTCY COURT'S ESTIMATION ORDER AND DISMISSING FOSTER'S APPEAL OF THE CONFIRMATION ORDER: For the foregoing reasons, the Bankruptcy Court's Estimation Order is affirmed Foster's appeal of the Confirmation Order is Dismissed as moot. (Signed by Judge Colleen McMahon on 4/3/2008) Copies Mailed By Chambers. (jpo) (Entered: 04/04/2008)

04/04/2008		Transmission to Judgments and Orders Clerk. Transmitted re: 17 Order,, to the Judgments and Orders Clerk. (jpo) (Entered: 04/04/2008)
04/07/2008	<u>18</u>	CLERK'S JUDGMENT That for the reasons stated in the Court's Decision and Order dated April 3, 2008, the Bankruptcy Courts Estimation Order is affirmed and Fosters appeal of the Confirmation Order is dismissed as moot. (Signed by J. Michael McMahon, clerk on 4/7/08) (Attachments: # <u>1</u> notice of right to appeal)(ml) (Entered: 04/07/2008)
04/09/2008		Mailed notice of Right to Appeal to Litigant(s): June Foster and to Attorney(s) of Record: Ira S. Dizengoff. (ama) (Entered: 04/09/2008)
04/17/2008	<u>19</u>	NOTICE OF MOTION for Rehearing (Reconsideration).. re; 17 Order, <u>18</u> Clerk's Judgment,. Document filed by June Foster.(mde) (Entered: 04/22/2008)
04/17/2008	<u>21</u>	MOTION for rehearing prusuant to Federal Rules of Bankruptcy Procedure Rule 8015. Document filed by June Foster.(dj) (Entered: 04/25/2008)
04/17/2008	<u>22</u>	DECLARATION of June Foster in Support re: 21 MOTION rehearing pursuant to Federal Rules of Bankruptcy Proceudue Rule 8015. Document filed by June Foster. (dj) (Entered: 04/25/2008)
04/22/2008	<u>20</u>	MEMO ENDORSEMENT on re: 19 MOTION for (Rehearing) Reconsideration re; 17 Order, 18 Clerk's Judgment,. filed by June Foster..ENDORSED: The motion for rehearing (reconsideration) is DENIED. (Signed by Judge Colleen McMahon on 4/22/2008) "Copies Mailed By Chambers".(mde) (Additional attachment(s) added on 4/22/2008: # <u>1</u> endorsed motion) (mde). (Entered: 04/22/2008)
05/02/2008	<u>23</u>	MOTION for a Stay pending appeal to the court of appeals, or temporary stay pursuant to Federal Rules of Bankruptcy Procedure Rule 8017(b). Document filed by June Foster.(pl) (Entered: 05/06/2008)
05/06/2008	<u>24</u>	MEMO ENDORSEMENT on re: (doc. #22) Declaration in Support of Motion filed by June Foster, (doc. #23) MOTION to Stay filed by June Foster. The application for temporary stay is DENIED. The appeal raises no meritious issue. (Signed by Judge Colleen McMahon on 5/6/08) (tve) (Entered: 05/06/2008)
05/20/2008	<u>25</u>	NOTICE OF APPEAL from 20 Memo Endorsement. Document filed by June Foster. Copies mailed to attorney(s) of record: Akin Gump Strauss Hauer & Feld LLP. (tp) (Entered: 06/02/2008)
06/02/2008		Appeal Remark as to 25 Notice of Appeal filed by June Foster. \$455.00 APPEAL FEE DUE. (tp) (Entered: 06/02/2008)
06/02/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 25 Notice of Appeal. (tp) (Entered: 06/02/2008)
06/02/2008		Transmission of Notice of Appeal to the District Judge re: 25 Notice of Appeal. (tp) (Entered: 06/02/2008)